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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/548,085	09/06/2005	Tadayuki Kameyama	053038	7643

38834 7590 11/27/2009

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EXAMINER	
CHEN, WEN YING PATTY	
ART UNIT	PAPER NUMBER
2871	

NOTIFICATION DATE	DELIVERY MODE
11/27/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentmail@whda.com

Office Action Summary	Application No.	Applicant(s)	
	10/548,085	KAMEYAMA ET AL.	
	Examiner	Art Unit	
	WEN-YING PATTY CHEN	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 September 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *6/19/09*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The Amendment filed on Jun. 30, 2009 has been entered. Claims 1-13 remain pending in the current application.

Claim Objections

Claim 1 is objected to because of the following informalities: Line 4 recites the limitation of "the protective film", which is first introduced in the claim, thus lacks antecedent basis. For purpose of examination, the limitation will be treated as to recite, "a protective film".

Further, line 13, the limitation "a protective film" is understood to be the same protective film as stated in line 4, hence, should have been "the protective film". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-7 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kameyama et al. (US 2002/0015120) in view of Kawabata (JP2002-328233).

With respect to claim 1 (Amended): Kameyama discloses in Figure 4 a high-brightness polarizing plate, comprising: a polarizing plate (element 6); a brightness enhancement film (element 8); and an adhesive layer (element 23) through which the polarizing plate and the brightness enhancement film are laminated with a protective film (element 31) interposed between them,wherein

the polarizing plate (element 6) comprising a polarizer (element 4) and the protective film (element 31) prepared on one side of the polarizer, and the polarizer and the protective film are adhered with an adhesive (Paragraphs 0020-0021).

Kameyama is silent regarding the retardation of the protective film.

However, Kawabata teaches in Paragraphs 0022-0023 and 0108 the use of protective films of a polarizer wherein the protective films have an in-plane retardation of 2nm or less (which is in the specified range of 0 to 10nm) and a thickness-direction retardation of 3nm or less (which is in the specified range of -30 to 10nm).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to construct a high-brightness polarizing plate as taught by Kameyama wherein the protective films of the polarizer are formed like such as taught by Kawabata, since Kawabata teaches that by using such optical films as protective films of a polarizer helps to improve the moisture and heat durability of the polarizing plate and to also achieve excellent viewing angle characteristics (Paragraph 0108 and Abstract).

As to claim 2: Kawabata further discloses in Paragraph 0031 that the protective film contains (A) a thermoplastic resin having a substituted and/or unsubstituted imide group in side chain and (B) a thermoplastic resin having a substituted and/or unsubstituted phenyl and nitrile groups in side chain.

As to claim 3: Kawabata further discloses in Paragraph 0100 that the protective film can be a biaxially stretched film.

As to claim 4: Kameyama further discloses in Paragraph 0018 that the polarizer is an iodine-containing polyvinyl alcohol-based film.

As to claim 5: Kameyama further discloses in Paragraphs 0039-0041 that the brightness enhancement film can be an anisotropic reflection polarizer.

As to claims 6 and 7: Kameyama further discloses in Paragraphs 0040-0041 and 0043 that the anisotropic reflection polarizer can be an anisotropic multilayered thin film comprising

of a cholesteric liquid crystal layer and a quarter wavelength plate capable of transmitting linearly polarized light in one direction of vibration and reflecting linearly polarized light in another direction of vibration.

As to claim 10: Kameyama further discloses in Figure 4 that at least one optical film (element 7) can be laminated onto the high-brightness polarizing plate.

As to claims 11-13: Kameyama further discloses in Figure 4 and Paragraph 0047 that an image viewing liquid crystal display can comprise the high-brightness polarizing plate by attaching the high-brightness polarizing plate to at least one side of the liquid crystal cell.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kameyama et al. (US 2002/0015120) and Kawabata (JP2002-328233) in view of Admitted Prior Art (Admission).

Kameyama and Kawabata disclose all of the limitations set forth in the previous claims, but do not specifically disclose that the anisotropic reflection polarizer is a reflective grid polarizer or that the brightness enhancement film is an anisotropic scattering polarizer.

However, Admission discloses in Page 25 line 28 through Page 26 line 5 that it is known in the art the use of a reflective grid polarizer as anisotropic reflection polarizer and in Page 26 lines 6-9 that anisotropic scattering polarizers can be used as brightness enhancement film.

Therefore, it would have been obvious to one of ordinary skill in the art to construct a polarizing plate as taught by Kameyama and Kawabata and employ a reflective grid polarizer or an anisotropic scattering polarizer as admitted since Admission discloses that such films are known in the art for use as brightness enhancement films.

Response to Arguments

Applicant's arguments with respect to all claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WEN-YING PATTY CHEN whose telephone number is (571)272-8444. The examiner can normally be reached on 8:00-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David C. Nelms can be reached on (571)272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

W. PATTY CHEN
Examiner
Art Unit 2871

/W. P. C./
Examiner, Art Unit 2871

/David Nelms/
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